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October 21, 2018

The Honorable Judge Paul A. Crotty  
United States Courthouse  
500 Pearl Street, Chambers 1350  
New York, NY 10007

***Re: 1:18-cv-05608-PAC Malibu Media, LLC v. John Doe subscriber assigned IP address 207.38.134.2; Plaintiff's Request for an Expedited Hearing***

Dear Judge Crotty:

The undersigned represents the Plaintiff in this matter. Please allow this letter to serve as the Plaintiff's request for expedited hearing on its Motion for Leave to Serve Third Party Subpoenas Prior to a Rule 26(f) Conference (the "Motion"), filed July 1, 2018 [CM/ECF 11].

This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant's Internet Service Provider (the "ISP"), can correlate Defendant's IP address to a subscriber. Plaintiff has filed its Motion and Memorandum of Law in Support thereof, but the issue remains pending before the Court.

Pursuant to Fed. R. Civ. P. Rule 4(m), the Plaintiff is required to effectuate service no later than September 18, 2018. Plaintiff needs time to serve the subpoena on the ISP, await the response and then conduct an investigation into whether the subscriber is indeed the infringer. Without permission to serve the subpoena on the ISP, Plaintiff cannot learn the Defendant's identity and is therefore unable to proceed with its case.

Plaintiff's Motion is unopposed because Defendant remains unknown and has not made an appearance in the case. Plaintiff anticipates that the hearing will take no longer than one (1) hour.

Plaintiff respectfully requests that this Court schedule an expedited hearing on Plaintiff's Motion for Leave, as the Court's schedule may permit.

Dated: October 21, 2018

Respectfully submitted,

By: /s/ Kevin T. Conway  
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